



**US Army Corps  
of Engineers®**  
New England District

Maine Project Office  
675 Western Ave., #3  
Manchester, Maine 04531

# PUBLIC NOTICE

Date: JUNE 19, 2001  
Comment Period Ends: JULY 19, 2001  
File Number: 200001630  
In Reply Refer To: Jay Clement  
Or by e-mail: jay.l.clement@usace.army.mil

**MAINE DEPT. OF TRANSPORTATION, 16 STATE HOUSE STATION, AUGUSTA, MAINE 04333** have requested a Corps of Engineers Permit under Section 10 of the Rivers & Harbors Act of 1899 and Section 404 of the Clean Water Act to place fill below the ordinary high water line of the Kennebec River, several tributaries and in freshwater wetlands at Augusta, Maine in conjunction with the construction of a new connector road from I-95 to Route 3 shown on the attached plans and described as follows:

1. The applicant has identified Alignment B, shown on the attached plans, as the preferred alignment for the connector road. The work will include new right-of-way clearing, culverted or bridged crossings of Fisher and Riggs Brooks, numerous crossings of wetlands, and intermittent and perennial streams, a new interchange at I-95, and a pier supported bridge crossing of the Kennebec River. Wetland and waterway impacts on the approaches to the Kennebec River crossing total approximately 7.2 acres. The 3 piers supporting the Kennebec River bridge will impact approximately 0.075 acres of river bottom. A bridge permit from the US Coast Guard will be required for the Kennebec River crossing.
2. The Corps has identified the basic project purpose as to improve east-west traffic flows through the Augusta region thereby reducing congestion and improving safety. Although the applicant has identified Alignment B as the preferred, the Corps is seeking public comment to help us determine whether this alignment is also the least environmentally damaging practicable alternative.
3. To compensate for the project's unavoidable impact to waterways and wetlands, the applicant is currently evaluating a number of prospective sites. The majority of these sites are located in Augusta and are within watersheds in the immediate vicinity of the proposed project. These sites include but are not limited to the following:
  - a. Riparian areas located along stream and brook corridors that offer the potential to stabilize eroding banks and shorelines, and restore riparian vegetation thereby improving and protecting water quality and in-stream habitats.
  - b. Emergent, scrub-shrub and forested wetlands, pond shoreline, and forested uplands adjacent to an existing state wildlife management area that could be acquired and preserved thereby protecting wildlife habitat including vernal pools from residential development.
  - c. Existing pastureland and hay fields along stream and brook corridors where riparian vegetation could be reestablished, wetland microtopography could be created, and wildlife habitat and hydrologic functions could be provided.

**d. Existing and former gravel and clay pits that offer the potential to create a mixture of wetlands and uplands that could provide hydrologic, water quality, and wildlife habitat functions.**

**The applicant is proposing these measures seeking to lessen the project's impact on aquatic resources. This notice solicits comments on these proposed measures from the interested or affected public as well as those agencies who speak to the public interest. After receipt of the comments, the Corps of Engineers will obtain any necessary additional information from the applicant and determine whether the proposed measures are practicable and serve to help mitigate this project's unavoidable impacts.**

**The project may impact Essential Fish Habitat (EFH) for Atlantic salmon. This habitat consists of river and stream bottom composed of silt, sand, and gravel mixed with cobble, boulders and woody debris. Impact to this species is expected to be minimal with appropriate erosion control measures, instream work windows, and other best management practices. Therefore the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision. Similarly, consultation will be initiated regarding the presence of shortnose sturgeon, a Federally listed endangered species also found in the Kennebec River.**

**The project is located on the AUGUSTA, ME quadrangle sheet between Universal Transverse Mercator grid coordinates N 491113, E 437640 and N4908281, E440580.**

**In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so in writing, within the comment period specified in this notice. Comments should be addressed to Jay Clement, Project Manager at the address noted above.**

**Any person may request, in writing, within the comment period that a public hearing be held to consider the application. Such requests shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.**

**SEE NEXT PAGE FOR  
DETAILS OF EVALUATION  
FACTORS**

**David H. Killoy, P.E., C.P.G.  
Chief, Permits & Enforcement Section  
Regulatory Branch**

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity in the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties listed in, or eligible for listing in, the National Register of Historic Places, and no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice.

The following authorizations have been applied for, or have been, or will be obtained:

- ( x ) Permit, License or Assent from State.
- ( x ) Permit from Local Wetland Agency or Conservation Commission.
- ( x ) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

**THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.**

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If you would prefer not to continue receiving public notices, please check here ( ) and return this portion of the public notice to: U.S. Army Corps of Engineers – New England District, ATTN: Regulatory Branch, 696 Virginia Road, Concord, MA 01742-2751.

NAME:  
ADDRESS: